

12-4685 12-2889 (lead)

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee,

v.

MOSHE BUCHNIK, MICHAEL YARON, CAMBRIDGE ENVIRONMENTAL
& CONSTRUCTION CORP., dba NATIONAL ENVIRONMENTAL
ASSOCIATES, OXFORD CONSTRUCTION & DEVELOPMENT CORP.,
SANTO SAGLIMBENI, ARTECH CORP., and EMILIO “TONY” FIGUEROA,
Defendants-Appellants

On Appeal from the United States District Court
for the Southern District of New York,
No. 1:10-cr-363-GBD, Before the Hon, George B. Daniels, U.S.D.J.

**FINAL FORM REPLY BRIEF
IN SUPPORT OF THE APPEAL
OF EMILIO “TONY” FIGUEROA**

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ARGUMENT

Appellant Figueroa Joins and Adopts the Arguments Made in the Reply Briefs of his Co-Defendants in this Matter

In reply to the Government brief, Appellant Figueroa relies on the arguments set forth in his initial memorandum of law. Furthermore, pursuant to Fed. R. App. P. 28(i), Appellant Figueroa adopts and joins in the arguments set forth in the reply briefs of Appellants Michael Yaron (No. 12-2890), Moshe Buchnik (No. 12-2889) and Santo Saglimbeni (No. 12-4556).

CONCLUSION

For the reasons set forth in our initial brief and in the briefs of the co-defendants in which Appellant Figueroa has joined and adopted, this Court should reverse Tony Figueroa's conviction. In the alternative, this Court should remand this case back to the District Court for resentencing.

Dated: March 28, 2014

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE
(FRAP 32[a][7][C])

I, Aidan P. O'Connor, an attorney at law duly admitted to practice in the United States Court of Appeals for the Second Circuit, hereby certifies that the within Appellant's Brief complies with the word limitation contained in Fed. R. App. P. 32 (a)(7)(B)(i), in that, according to the word count in the Microsoft Word word-processing system used to prepare such brief, there are 132 words from the argument through the conclusion.

Dated: Hackensack, New Jersey
 March 28, 2014

/s/ Aidan P. O'Connor
AIDAN P. O'CONNOR

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2014, I caused a copy of Defendant-Appellant Emilio “Tony” Figueroa’s Final Form Reply Brief to be served upon the following via electronic filing:

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